

STATE OF WEST VIRGINIA;)
)
STATE OF WISCONSIN;)
)
ATTORNEY GENERAL BILL SCHUETTE, People of)
Michigan;)
)
GOVERNOR PHIL BRYANT, State of Mississippi;)
)
GOVERNOR PAUL R. LEPAGE, State of Maine;)
)
GOVERNOR PATRICK L. MCCRORY, State of North)
Carolina; and)
)
GOVERNOR C.L. “BUTCH” OTTER, State of Idaho,)
)
Plaintiffs,)
)
vs.)
)
UNITED STATES OF AMERICA;)
)
JEH JOHNSON, Secretary of the Department of)
Homeland Security;)
)
R. GIL KERLIKOWSKE, Commissioner of U.S. Customs)
and Border Protection;)
)
RONALD D. VITIELLO, Deputy Chief of U.S. Border)
Patrol, U.S. Customs and Border Protection;)
)
THOMAS S. WINKOWSKI, Acting Director of U.S.)
Immigration and Customs Enforcement; and)
)
LEÓN RODRÍGUEZ, Director of U.S. Citizenship and)
Immigration Services,)
)
Defendants.)
)

SUPPLEMENT TO THE AMENDED COMPLAINT
FOR DECLARATORY AND INJUNCTIVE RELIEF

1. Pursuant to this Court’s order dated January 15, 2015 [ECF No. 96], the State of Nevada and the State of Tennessee hereby join the State of Texas, the

State of Alabama, the State of Arizona, the State of Arkansas, the State of Florida, the State of Georgia, the State of Idaho, the State of Indiana, the State of Kansas, the State of Louisiana, the State of Montana, the State of Nebraska, the State of North Dakota, the State of Ohio, the State of Oklahoma, the State of South Carolina, the State of South Dakota, the State of Utah, the State of West Virginia, the State of Wisconsin, and Attorney General Bill Schuette of Michigan, Governor Phil Bryant of Mississippi, Governor Paul R. LePage of Maine, Governor Patrick L. McCrory of North Carolina, and Governor C.L. “Butch” Otter of Idaho (collectively, “Plaintiffs” or “Plaintiff States”) in seeking declaratory and injunctive relief against the United States and the above-named federal officials (collectively, “the Defendants”) for their violations of the Take Care Clause, U.S. CONST. art. II, § 3, cl. 5, and the Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.* Nevada and Tennessee also join Plaintiffs’ request for a preliminary injunction.

2. Nevada and Tennessee have standing to seek declaratory and injunctive relief for all of the reasons that the other Plaintiff States do — including because both States are obligated to provide driver’s licenses to beneficiaries of the 2014 DHS Directive, *see* NEV. REV. STAT. § 483.290, NEV. ADMIN. CODE §§ 483.050(1)(g), 483.0787(1)(a)(7), TENN. CODE ANN. § 55-50-321(h), both States will incur costs to remediate the consequences of Defendants’ actions, *see Massachusetts v. EPA*, 549 U.S. 497 (2007), both States will suffer *parens patriae* injuries from economic discrimination against its citizens, *see Alfred L. Snapp & Son, Inc. v. Puerto Rico ex rel. Barez*, 458 U.S. 592 (1982), and both States will have

their police powers preempted by federal actions that do not comport with bicameralism and presentment, *see Wyeth v. Levine*, 555 U.S. 555 (2009). *See also* Plaintiffs' Motion for Preliminary Injunction at 25-28 (Dec. 4, 2014) [ECF No. 5]; Plaintiffs' Reply in Support of Motion for Preliminary Injunction at 42-64 (Jan. 7, 2015) [ECF No. 64].

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CERTIFICATE OF SERVICE

I certify that I served a copy of this pleading on the following counsel for the Defendants via this Court's CM/ECF system:

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